IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

MONDAY, THE SEVENTH DAY OF MARCH
TWO THOUSAND AND FIVE

PRESENT

THE HON'BLE MS JUSTICE G.ROHINI

WRIT PETITION NO : 4324 of 2005

Between:

B. Jaganmohan Rao S/o late Pattabirama Rao
R/o Plot No.30, of Sairamnagar Colony, Karmanght, L.B. Nagar Municipality, Hyderabad

.. PETITIONER

AND

1 The Commissioner, L.B. Nagar Municipality, Saroornagar Mandal, Ranga Reddy District
2 The Director of Municipal Administration, Andhra Pradesh, Tank Bund, Hyderabad
3 M. Omkar S/o Agamaiah
R/o Plot No. 29, Sairamnagar Colony Karmanghat, Rangareddy District

...RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court may be pleased to issue a Writ, order or direction more particularly one in the nature of a Writ of Mandamus, declaring the action of the 1st respondent in not taking action on the representation of the petitioner dt 25-2-2005 as illegal, arbitrary, besides being unconstitutional and consequently direct the 1st respondent to take action on the representation of the petitioner dt 25-2-2005 and stop illegal construction of the 3rd respondent in Plot No. 29 of Sairamnagar Colony, situated in Sy. No. 144 to 153, 156 to 159 of Karmanghat Vilage, Saroornagar Mandal, L.B. Nagar Municipality, Ranga Reddy District and pass such other order as necessary in the interests of justice

Counsel for the Petitioner: MR.RAMACHANDAR RAO VEMUGANTI

Counsel for the Respondent No.1: Mr. P.Radhakrishna

Counsel for the Respondent No.2: GP FOR MUNCIPAL ADMN. & URBAN DEV.

The Court at the stage of admission made the following:

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ORDER:

This writ petition is filed aggrieved by the alleged inaction on the part of the respondents 1 and 2 in considering the representation made by the petitioner dated 25-02-2005 complaining about certain unauthorized constructions being made by the third respondent in plot No.29 of Sairamnagar Colony, situated in Sy.No.144 to 153, 156 to 159 of Karmanghat Village, Saroornagar Mandal, L.B.Nagar Municipality, Rangareddy District.

Having heard the learned counsel for the petitioner, the learned standing counsel appearing for the first respondent and having regard to the nature of the controversy involved in the writ petition, without expressing any opinion as to the correctness of the allegations made by the petitioner, the writ petition is disposed of with a direction to the first respondent to consider the representation of the petitioner dated 25-02-2005 and pass appropriate orders, in accordance with law, after affording due opportunity to the third respondent to rebut the allegations made by the petitioner, as expeditiously as possible, preferably within a period of two weeks from the date of receipt of a copy of this order.

The writ petition is accordingly disposed of. No order as to costs.

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G. ROHINI, J

Dated: 07-03-2005

Note: Furnish C.C. in a week

B/o.

LSK

ASSISTANT REGISTRAR

To

1 The Commissioner, L.B. Nagar Municipality, Saroornagar Mandal, Ranga Reddy District
2 The Director of Municipal Administration, Andhra Pradesh, Tank Bund, Hyderabad
3 Two C.Cs. to the G.P. for Municipal Administration, High Court Buildings, Hyderabad. (O.U.T.)

4 Two C.D. copies.